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February 5, 2015

VIA ECF

Hon. Laura Taylor Swain  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

In re: *Dov Malnik, et al. v. Muddy Waters, LLC, et al.* (15 CV 00754) (LTS)

Dear Judge Swain:

We represent Defendants Muddy Waters, LLC ("Muddy Waters"), and Carson Block ("Block") in the above-referenced action and write jointly with Plaintiffs Dov Malnik and Tomer Feingold pursuant to Section A(1)(f) of Your Honor's Individual Practices to report that the parties successfully negotiated a global resolution in principle of the above-referenced action and related disputes involving the parties and several non-parties. The contemplated settlement also will encompass and dispose of Plaintiffs' disputes with defendant Joshua Steinberg who has not yet been served. (Prior to Muddy Waters' and Block's filing of the Notice of Removal dated February 2, 2015, the Supreme Court of the State of New York (Oing, J.) granted Plaintiffs' ex parte order dated January 28, 2015, which extended Plaintiffs' deadline to effectuate service of process on Joshua Steinberg for an additional 60 days). The parties are currently in the process of memorializing a formal stipulation of settlement, following which they anticipate filing a stipulation of dismissal.

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Given the foregoing, we respectfully request that Muddy Waters' and Block's deadline for filing a responsive pleading or motion to dismiss be adjourned until March 9, 2015 to allow for the completion of the settlement agreement and filing of the stipulation of dismissal. Muddy Waters' and Block's current deadline to file a responsive pleading is February 9, 2015. This is the first request for an adjournment.

Respectfully submitted,

/s/ Scott M. Lesowitz

Scott M. Lesowitz (SL-2112)

*Attorneys for Defendants Muddy  
Waters, LLC and Carson Block*

/s/ Daniel J. Brown

Daniel J. Brown (DB-7458)

*Attorneys for the Plaintiffs*